

32 Rec'd PCT/PTO 19 MAR 1997

154-130

FORM PTO-1390 (REV. 10-94)

U.S. Dept. of Commerce and Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER
S63.2-6252TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known)
08/737,492

INTERNATIONAL APPLICATION NO. PCT/US95/06228	INTERNATIONAL FILING DATE (dd/mm/yy) 05/18/1995	PRIORITY DATE CLAIMED (dd/mm/yy) 05/19/1994
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TITLE OF INVENTION

IMPROVED TISSUE SUPPORTING DEVICES

APPLICANT(S) FOR DO/EO/US

Paul H. Burmeister, Charles L. Euteneuer, Brian J. Brown, Paul J. Fordenbacher, Anthony C. Vrba

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371 (c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor (35 U.S.C. 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.29 and 3.31 is included.
13. A **FIRST** preliminary amendment. Please enter the amendment before fee calculation.
 A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information: Petition for One Month Extension of Time and Petition Fee of \$110.00

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EMS165115924US

17. <input type="checkbox"/> The following fees are submitted:	CALCULATIONS	PTO USE ONLY		
BASIC NATIONAL FEE (37 CFR 1.492(A)(1)-(5)):				
Search Report has been prepared by the EPO or JPO \$910.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) \$680.00				
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$750.00				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1010.00				
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Articles 33(2)-33(4) \$94.00	\$			
ENTER APPROPRIATE BASIC FEE AMOUNT =				
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$130.00			
Claims	Number Filed	Number Extra	Rate	
TOTAL CLAIMS	- 20 =		x \$22	\$
INDEPENDENT CLAIMS	- 3 =		x \$78	\$
MULTIPLE DEPENDENT CLAIMS(S)(if applicable)			+ \$250	\$
TOTAL OF ABOVE CALCULATIONS				\$
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).	\$			
SUBTOTAL =	\$130.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$			
TOTAL NATIONAL FEE =	\$130.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40. per property	\$			
TOTAL FEES ENCLOSED =	\$130.00			
	Amount to be: refunded	\$		
	charged	\$		
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$130.00</u> to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. ____ in the amount of \$____ to cover the above fees is enclosed. A duplicate copy of this sheet is enclosed.				
c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 22-0350.				
Send All Correspondence To: Vidas, Arrett & Steinkraus, P.A. 1540 Kinnard Financial Center 920 Second Avenue South Minneapolis, MN 55402	 Signature <u>Leoniede M. Brennan</u> Name			
	35,832			
	Registration Number			

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
United States Receiving Office (RO/US)

In re : Paul H. Burmeister, Charles L. Euteneuer, Brian J.
Brown, Paul J. Fordenbacher, Anthony C. Vrba

U.S. Nat'l Stage of Inter'l PCT/US95/06228

Appn:

International Filing Date: 05/18/1995

For: IMPROVED TISSUE SUPPORTING DEVICES

Box PCT
ATTN: EO/US
Assistant Commissioner for Patents
Washington, D.C. 20231

Our File: S63.2-6252

TRANSMITTAL LETTER

1. In regard to the above-identified application, we are submitting the attached:

Copy of the Notice of Missing Requirements Under 35 USC 371; 3 Pg Declaration of Inventorship; One Month Petition for Extension of Time; Check for \$130.00 (surcharge) and Check for \$110.00 (petition fee); Return Post Card and 3 Pg Transmittal

2. With respect to fees:

- No additional fee is required.
- Attached is/are a check(s) in the amount of \$130.00 and \$110.00.
- Charge additional fee to our Deposit Account No. 22-0350.

CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME

This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time. If any extension of time for the accompanying response is required, Applicant requests that this be considered a petition therefor.

4. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

VIDAS, ARRETT & STEINKRAUS

1540 Kinnard Financial Center
920 Second Avenue South
Minneapolis, MN 55402-4014
Telephone: (612) 339-8801
Fax: (612) 349-6858

By Mary C. Granger
Leoniede M. Brennan
Reg. No. 35,832

Certificate Under 37 CFR 1.10: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as EXPRESS MAIL, Label No. EM516511592US, addressed to BOX PCT, Assistant Commissioner for Patents, Washington D.C. 20231, on March 19, 1997.


Mary C. Granger
NATL-STB.FRM